



**Lorraine A. Hynes, Dist. 4**  
*Council President*

**Anthony Nobrega, District 1**  
*Council Vice Chair*

**Kerri A. Giorgio, District 2**  
*Council Member*

**Maureen Hanaway-Aveno, District 3**  
*Council Member*

**Eugene J. Sartini, District 5**  
*Board of Licensing Vice Chair*

**James T. Higgins, At-Large**  
*Board of Licensing Chair*

**Charles D. Wilk, At-Large**  
*Council Member*

**AGENDA OF THE CUMBERLAND TOWN COUNCIL**  
**REGULAR MEETING OF THE CUMBERLAND TOWN COUNCIL**  
**WEDNESDAY, AUGUST 17, 2005**  
**AT 7:30 P.M.**  
**COUNCIL CHAMBERS, TOWN HALL**  
**45 BROAD STREET**

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. GENERAL ANNOUNCEMENTS**

**4. UNANIMOUS CONSENT ITEMS**

**5. CONSENT AGENDA**

**A.** Acceptance of Previous Minutes- Regular Meeting of July 20, 2005 and Special Meeting of July 28, 2005

**B. DEPARTMENT REPORTS:**

Animal Control  
Building Official  
Police Department  
Recreation Department  
Rescue

**C. COMMUNICATIONS:**

- 1. C-08-01** – A Letter from the City of Providence seeking support for a Resolution that they passed on June 16, 2005 regarding raising funding necessary and overcome all obstacles to make the USS Saratoga Museum a reality

**6. LICENSES –**

**A. SPECIAL EVENT NON-PROFIT ENTERTAINMENT LICENSE:**

- 1.** An application from the Rev. Dennis J. Kieton for Lady of Fatima Church on 1 Fatima Street for the Annual Parish Feast to be held on September 2, 2005, September 3, 2005 and September 4, 2005

**7. FINANCE REPORTS:**

- 1.** Updated General Fund Report and Water Fund Report for prior year ending 6/30/05.

2. General Fund Report as of 7/31/05 for the current FY 2005-2006 period

## **8. OLD BUSINESS**

### **A. ORDINANCES FOR PUBLIC HEARING:**

1. **#05-23A** – An Ordinance deleting ordinance 97-23A Establishing a Municipal Court Clerk Section 2 in ARTICLE II (*tabled from June 15, 2005 and July 20, 2005*)
2. **#05-25** – An Ordinance Establishing the Salaries of the Executive Staff and Other Positions – Presented by Council President Hynes on behalf of the Administration (*This ordinance amends the department head salary plan by providing increases for certain positions leaving certain positions unfilled; and, funding certain positions which are presently vacant*)
3. **#05-26** – An Ordinance Relating to Historic Districts – Presented by Council President Hynes on behalf of the administration (*This Ordinance will designate portions of Cray Street, Lawrence Street, Martin Street, Mendon Road, Victory Street and Woodward Street as the Berkeley Historic District*)
4. **#05-27** – An Ordinance Amending the Enforcement of Hours of Operation for Commercial Business - Presented by Council President Hynes on behalf of the administration (*This Ordinance mandates that the Municipal Court has jurisdiction to hear violation of the hours of operation for a commercial business operating as a non-conforming use*)
5. **#05-28** – An Ordinance Amending Article III – “Sewers” Ferncrest Drive & Willow Drive - Presented by Council President Hynes on behalf of the Administration (*this ordinance would allow for private installation of sewers on Ferncrest Drive & Willow Drive*)

### **B. RESOLUTIONS FOR PUBLIC HEARING:**

1. **R-05-57** – A Resolution Authorizing the Filing of an Application by the Cumberland Conservation Commission for Designation of a Roadway Loop in the Diamond Hill Section as a Rhode Island Scenic Roadway
2. **R-05-60** – A Resolution Proposing the Abandonment of an Unnamed/Untitled Street off West Wrentham Road and Pine Swamp Road in the Town of Cumberland, Rhode Island

### **C. APPOINTMENTS- BUILDING OFFICIAL:**

1. Paul D. Santilli of 9 Albert Drive, Johnston, RI (**WITHDRAWN**)

## **9. NEW BUSINESS:**

### **A. COMMUNICATIONS:**

1. A Letter from the Wilfrid E. Hebert requesting to go before the Council to discuss the Combat Veterans of all Wars Memorial at the Monastery
2. A Letter from Arthur Johnson requesting to go before the Council to discuss Fire Tax
3. A Letter from the Rescue Director, James R. Galligan, Jr., requesting to go before the Council to discuss his intent to request “Emergency Purchase Funding” for the Replacement of Cumberland Rescue #3
4. A Letter from Robert Thibodeau requesting to go before the Council to discuss Article II. Election – Town of Cumberland

**B. CLAIMS:**

1. Denise Elderkin of 7 Meeting House Road, Lincoln, RI

**C. APPOINTMENTS:**

**BOARD OF CANVASSERS:**

1. Resignation of Joseph Doris  
Appoint – **John J. Konieczny** of 33 Kent Street  
Term ending on March 1, 2011

**BOARD OF CANVASSERS ALTERNATE:**

1. **Lester Hilton** of 15 Tanglewood Drive

**TAX ASSESSOR:**

1. **David Robert** of 621 Hortonville Road, Swansea, MA

**BUILDING OFFICIAL:**

1. **Mark N. Favreau** of 11 Paolino Circle, North Scituate, RI

**CUMBERLAND SCHOOL BUILDING COMMITTEE:**

1. **Thomas M. Bruce III** of 106 Farm Drive

**D. RESOLUTIONS:**

1. **R-05-63** – A Resolution Authorizing an Increase to the approved Amount for the Professional Engineer of Record for the Cumberland Water Department with Woodward and Curran of Dedham, Massachusetts from \$73,488 to \$104,688
2. **R-05-64** – A Resolution to Authorize Mayor to Endorse a State Preservation Grant Application to Obtain a Grant in the Amount of \$29,280 from the Historical Preservation and Heritage Commission for the Replacement of Doors and Half Circle Windows for the Cumberland Town Hall
3. **R-05-65** – A Resolution Authorizing the Purchase of 12 Automatic External Defibrillators
4. **R-05-66** – A Resolution Authorizing Mayor David S. Iwuc to enter into a Purchase and Sales Agreement for a Portion of the Pratt Property at Plat 57, Lots 2 and 22
5. **R-05-67** – A Resolution Authorizing the use of \$45,000 of Funds from the Open Space/Recreation Fund to Purchase Playground Equipment for the Cumberland Hill School
6. **R-05-68** – A Resolution to Approve the Recommendation of the Planning Department to Award a Geographic Information Systems (GIS) Contract to Michele Giorgianni of Cumberland, Rhode Island in an Amount not to Exceed \$25.00 per hour for Mapping and Analytical Services to the Planning, Public Works and Tax Assessor Departments
7. **R-05-69** – A Resolution a Quitclaim Deed from the Town of Cumberland to David F. Miller and Cynthia M. Miller as Tenants in Common Tax Assessor Plat 41, Lot 21 (Scott Road)
8. **R-05-70** – A Resolution Authorizing Mayor David S. Iwuc to Enter into a Four-Year Lease Agreement with Greenwood Fire Apparatus for the Emergency Purchase of One Rescue Vehicle

#### **E. ORDINANCES – FOR PRESENTATION:**

1. **#05-29** – An Ordinance in Amendment of the Cumberland Comprehensive Community Plan Ordinance (Presented by Council Present Hynes on behalf of the Administration) (*amends the Housing Element of the Town's present Comprehensive Community Plan by including a new location for the construction of low and moderate income housing*)
2. **#05-30** – An Ordinance Renaming the Cumberland Middle School to the “Joseph L. McCourt Middle School” pursuant to Chapter 2 entitled Administration Article IV. Division 8. Sec 2-131 of the Cumberland Code of Ordinances (Presented by Councilor Hynes on behalf of the Administration)
3. **#05-31** – An Ordinance Authorizing the Placement of a Stop Sign on Avon Avenue at the Intersection of Aborn Avenue (Presented by Councilor Sartini)
4. **#05-32** – An Ordinance in Amendment of the Code of Ordinances of the Town of Cumberland, Rhode Island, As Amended, Amending the Ordinance & Map thereof with reference to Cumberland Assessor's Plat 53, Lots 369 and 1241 in the Town of Cumberland from Commercial-1 (C-1) to Commercial-2 (C-2) – Petitioners Yvette D. Brunelle, Therese Gibbons and Carriage Way Associates, LTD represented by Attorney Michael A. Kelly (**Permission to Advertise and Planning Department Approval**)
5. **#05-33** – An Ordinance in Amendment of the Code of Ordinance of the Town of Cumberland, Rhode Island, As Amended, Amending the Ordinance & Map thereof with Reference to Cumberland Assessor's Plat 53, Lots 1242, 1245 and 1246 in the Town of Cumberland from Residential-1 (R-1) to Commercial-2 (C-2) – Petitioners Yvette D. Brunelle, Therese Gibbons and Carriage Way Associates, LTD represented by Attorney Michael A. Kelly (**Permission to Advertise and Planning Department Approval**)

#### **10. PUBLIC COMMENTS:**

#### **11. ADJOURNMENT:**

This meeting location is accessible to the handicapped for further information on the buildings accessibility feel free to contact the Clerk's Office. Individuals requiring interpreter services for the hearing impaired should notify the Town Clerk's Office at (401) 728-2400 ext. 38 no less than 48 hours before the meeting.

**Posted: August 12, 2005**

TELEPHONE: 401-728-2400, Ext. 138 • [www.cumberlandri.org](http://www.cumberlandri.org)